GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Transport Department – Departmental Proceedings initiated against Sri S.Mahaboob Basha, Administrative Officer (Rtd) O/o DTC, Ananthapuramu under Sub-rule (6) of Rule-9 of A.P Revised Pension Rules, 1980 under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Article of Charges – Issued.

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TRANSPORT ROADS & BUILDINGS (VIG-TR) DEPARTMENT

G.O. Rt. No.260 Dated:30.08.2023

Read the following:

1. R.No.20022/15/V1/2020-1, dt.25.09.2020
2. From the Transport Commissioner, AP, Letter No.20022/15/V1/2020, dt.02.11.2022.

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ORDER :

In pursuance of the Disciplinary action initiated by the transport Commissioner in the proceedings 1st read above, shall continue under Sub-rule (6) of Rule-9 of A.P Revised Pension Rules, 1980 against Sri S.Mahaboob Basha, Administrative Officer (Rtd) O/o DTC, Ananthapuramu in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (CC&A) Rules, 1991.

2. The substance of the imputation of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure-I) and the imputation of misconduct or misbehavior in support of each article of charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III & IV) respectively.

3. Sri S.Mahaboob Basha, Administrative Officer (Rtd) O/o DTC, Ananthapuramu is directed to submit a written statement of his defense within ten days of the receipt of this order.

4. He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S.Mahaboob Basha, Administrative Officer (Rtd) O/o DTC, Ananthapuramu, is further informed that if he does not submit his written statement of defense on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Sri S.Mahaboob Basha, Administrative Officer (Rtd) O/o DTC, Ananthapuramu, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under

Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

To
Sri S.Mahaboob Basha, Administrative Officer (Rtd) O/o DTC, Ananthapuramu, (w.e of Annexures-I to IV) through the Transport Commissioner, A.P., Vijayawada.
The Transport Commissioner, A.P., Vijayawada (2 copies - with a request to serve the order on the individual and send the served copy with dated signature to the Government)
SF / SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST Sri S.Mahaboob Basha, Administrative Officer., O/o DTC , Ananthapuramu

Sri S.Mahaboob Basha, Administrative Officer., O/o DTC , Ananthapuramu, working in Transport Department from 18.07.2019, under the administrative control of Deputy Transport Commissioner, Ananthapuramu.

CHARGE:

Sri S.Mahaboob Basha, Administrative Officer., O/o DTC , Ananthapuramu working under the administrative control of the Deputy Transport Commissioner, Ananthapuramu during the period from 18.07.2019 to 25.09.2020 has committed grave misconduct in as much as:-

Charge-1:

"He approved 32 transactions in A.O.Role which were processed at Citizen level for data entry which were selected in Paper R.C. option which is meant for data entry of home state vehicles , without proper verification documents and with help of fake and fabricated documents in a fraudulent manner with ulterior motive for his unlawful gains and caused loss of Revenue to a tune of Rs6525/- to State Government " and thus he has violated Rule 3 (1) and (2) of A.P.C.S (Conduct) Rules, 1964.

Charge -2:

"He approved 33 transactions in R.T.O.Role, which were processed at Citizen level for data entry which were selected in Paper R.C. option which is meant for data entry of home state vehicles , without proper verification documents and with help of fake and fabricated documents in a fraudulent manner with ulterior motive for his unlawful gains and also caused loss of Revenue of Rs17,155/- " and thus he has violated Rule 3 (1) and (2) of A.P.C.S (Conduct) Rules, 1964.

Thus, Sri S.Mahaboob Basha, Administrative Officer., O/o DTC , Ananthapuramu by his above mentioned acts exhibited lack of integrity, lack of devotion to duty and exhibited conduct unbecoming of a Government Servant and there by contravened Rule 3 (1) and (2) of A. P. Civil Service (Conduct) Rules 1964".

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

ANNEXURE – II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGE FRAMED AGAINST Sri S.Mahaboob Basha, Administrative Officer., O/o DTC , Ananthapuramu:

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It is brought to the notice of the undersigned that, the DTC, Ananthapuramu vide letter dated 21.09.2020 had informed that on receipt of credible information from the reliable sources, that some of the passenger vehicles like LMV Cars, Motor Cabs, Maxi Cabs and Omni buses for private use etc. (both Transport & Non Transport) belonging to other states involved in finance default, theft, crime are being brought to the Andhra Pradesh State in a fraudulent manner, to Ananthapuramu District, entering data in online through data entry provision in APRTA Citizen APP in Ananthapuramu District, getting approvals of data entry and effecting transactions like Transfer of Ownership, Hypothecation/ Hire Purchase agreements etc illegally by a group of persons.

The DTC, further informed that on his random verification two vehicles bearing registration numbers (1) AP39EM1359 and (2) AP39EL5688 were came in to his view for which the detailed transactions from the inception of entering in to data vase to last transaction with help of JTC(I/T) and IT team and noticed some discrepancies.

Based on the report received from the DTC, Ananthapuramu, audit trail was done for both transactions and it was found that Sri.S.Mahaboob Basha, Administrative Officer and Sri.S.Mali Basha, Senior Assistant office of the Deputy Transport Commissioner, Ananthapuramu both transactions approved were fraudulent transactions and Sri S.Mahaboob basha, A.O. and S.Malik Basha, Senior Assistant were kept under suspension vide proceedings R.No.20022/15/V1/2020 -1&2 dated 25.09.2020 of the Transport Commissioner, A.P., Vijayawada and disciplinary action was initiated against both Government Servants and directed them not to leave the head quarters without obtaining prior permission from the Transport Commissioner, A.P., Vijayawada.

The DTC, Ananthapuramu vide letter dated 15.02.2021 has informed that a complaint was lodged in Crime.No.353/2020 of 1 town Police station, of Ananthapuramu as per the instructions of the Transport Commissioner, A.P., Vijayawada.

against the owners who have done fraudulent transactions through online by producing fake and fabricated documents and the staff who processed and approved the transactions .

The DTC, informed that a letter has been addressed to the Inspector of Police, 1town Ps, Ananthapuram on 23.01.2021 and 28.01.2021 to inform the latest stage of Cr.No.353/2020, and in reply the Inspector of Police informed that Sri.S.Mahaboob Basha (A4 in the case) Administrative officer, office of the DTC, Ananthapuramu was arrested and sent for remand to judicial custody on 19.11.2020 and Sri.S.Malik Basha,(A3 in the case) Senior Assistant, office of the DTC, Ananthapuramu is still absconding and the case is under investigation for arrest of A3.

Sri S.Mahaboob Basha, A.O, retired form service on 31.08.2021 while under suspension and the suspension was not revoked. In respect of Sri S.Malik Basha, Senior Assistant , was reinstated in to service vide proceedings no 20022/15/V1/2020 dated 15.11.2021 of the Transport Commissioner, A.P., Vijayawada.

The Joint Transport Commissioner (I/T) has provided 112 transactions which were selected in Paper R.C. option at citizen level in the office of the DTC, Ananthapuramu. As the data is huge and as it required verification of the technical staff, the Joint Transport Commissioner, (V&E) vide Memo dated 02.06.2022 deputed Sri D.S.M.Vara Prasad, MVI, O/o DTC, Ananthapuramu and Sri I.Siva Prasad Rao, Regional Transport Officer, Visakhapatnam for verification of details of 112 files to find the irregularities in all the transactions.

Both executive staff reported in the office of the Transport Commissioner, A.P., Vijayawada on 03.06.2022. Sri I.Siva Prasad Rao, Regional Transport Officer, submitted verification report dated 10.06.2022 as, 61 transactions were opted paper R.C. option even though NOCs were issued to Andhra Pradesh State, and the fact was hidden by the applicant to avoid Life tax, Quarterly tax and fee to the state exchequer and caused loss of Revenue to Government, and recommended cancellation of Registration certificates in respect of 41 transactions which were approved on the basis of fake and fabricated documents and recommended to take disciplinary action on the concerned.

Thus, Sri S.Mahaboob Basha, Administrative Officer., O/o DTC , Ananthapuramu, thereby exhibited lack of integrity, lack of devotion to duty and exhibited conduct unbecoming of Government Servant and thereby contravened Rule 3 (1) and (2) of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

The Government servant has therefore, rendered himself liable for punishment as per A.P.C.S (CC&A) Rules, 1991.

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

ANNEXURE – III

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES ARE PROPOSED TO BE SUSTAINED

1. Sri.N.Sivarama Prasad, DTC, Ananthapur.
2. Sri.I.Siva Prasad Rao, RTO, Visakhapatnam.
3. Sri.D.S.M.Vara Prasad, MVI, O/o DTC, Ananthapuramu
4. Any witness as required during the course of enquiry.

PRADYUMNA P.S
SECRETARY TO GOVERNMENT

ANNEXURE – IV

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGES PROPOSED TO Be SUSTAINED.

1) Letter No.1-DTC/ATP/CONF/2020 dated 21.09.2020 of. the DTC, Ananthapuramu
2) Verification report of Sri I.Siva Prasad Rao, RTO, Visakhapatnam
3) Annexure showing the number applications approved in A.O.Role. Annexure showing the number applications approved in R.T.O.Role
4) Any other document as required during the course of enquiry.

PRADYUMNA P.S
SECRETARY TO GOVERNMENT